

Resolution # 38-2017
**GENERAL CODE OF ONEIDA COUNTY, WISCONSIN
ORDINANCE AMENDMENT #3-2017**

Ordinance Amendment offered by the Planning and Development Committee

WHEREAS, the Planning & Development Committee, having considered Ordinance Amendment #3-2017, (copy attached) which was filed March 16, 2017 (copy attached) to amend Section 9.26, Business B-1 and B-2 (Districts 6 and 7) of the Oneida County Zoning and Shoreland Protection Ordinance, and having given notice thereof as provided by law and having held a public hearing thereon April 6, 2017 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

WHEREAS, prior to the comprehensive zoning revision effective May 15, 2000, Oneida County allowed all uses listed in zoning District #3-Multiple Family Residential in Zoning District #6-Business B-1 and Zoning District #7-Business B-2; and

WHEREAS, staff has been allowing permitted, administrative, and conditional uses listed in District #3-Multiple Family Residential in Zoning District #6-Business B-1 and Zoning District #7-Business B-2; and

WHEREAS, staff and the Planning and Development Committee look at the ordinance amendment as a correction; and

WHEREAS, The Planning and Development Committee held a public hearing and individuals testified in support of and provided comments; and

WHEREAS, the Planning and Development committee has carefully studied the proposed changes after listening to comments made at the public hearing and recommends approval.

**NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS
DOES ORDAIN AS FOLLOWS:**

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Chapter 9 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

9.26 BUSINESS B-1 (DISTRICT 6) AND BUSINESS B-2 (DISTRICT 7)
(#19-2001,83-2003,1-2005 & 28-2005,11-2008, 7-2009, 4-2011)

9.26 A(1) and A(2) remain unchanged

A. BUSINESS B-1 (DISTRICT 6)

51 3. Administrative Review Uses

- 52
53 e. a. All administrative review uses of District 3 Multiple Family
54 Residential
55 a- b. Any new retail business that does not have a drive-through or
56 drive-in component and does not have any outdoor operations
57 (other than customer or employee parking)
58 b- c. Any new office, professional and service establishment
59 customary in a business district that does not have a drive-
60 through or drive-in component and does not have any outdoor
61 operations (other than customer or employee parking)
62 d. Multi-tenant use involving an existing building with 4 units or
63 less
64 e. Churches, schools, libraries, community buildings and museums
65

66 4. Conditional Uses

- 67
68 a. All the conditional uses of District 3 Multiple Family Residential
69 a- b. Any new amusement enterprise such as theaters, bowling and
70 amusement parlors, that do not have a drive-through or drive-in
71 component and do not have any outdoor operations (other than
72 customer or employee parking)
73 b- c. Any retail business, office, professional or service establishment
74 that involves a drive-through or drive-in component or has any
75 outdoor operations (other than customer or employee parking)
76 e- d. Mall and multi-tenant buildings
77 d- e. Hotels, motels, and resorts (with 5 or more units)
78 e- f. Any permitted use or administrative review use in this district,
79 which is located on property adjacent to or across the street
80 from a residential district
81 f. g. Dog kennel and/or cat boarding facilities
82 g. h. Animal shelters, as defined in Wis. Stats. 173.40(c)
83 h- i. Wildlife rehabilitation centers pursuant to Wis. Administrative
84 Code NR19 or facilities subject to a federal permit
85 i- j. Veterinary clinics or animal hospitals
86 j- k. Communication structures located on existing government
87 structures, or on existing sanitary district owned facilities
88 k. l. Co-location on a legal pre-existing communication structure
89 l. m. Multi-tenant use involving an existing building with 5 units or
90 more
91 n. Heliport associated with a licensed health care facility
92

93 CHAPTER 9, ARTICLE 10 DEFINITIONS

94
95 The following definitions shall apply and control through this ordinance. Words or
96 phrases not defined specifically below but used in this ordinance shall be

interpreted so as to give them the same meaning as they have at common law
and to give this ordinance its most reasonable application.
The following definition is being added

Heliport: An area of land, water, or structure used or intended to be used for the
landing and takeoff of helicopters, and including its building and facilities.

The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment
#3-2014 by the Oneida County Board of Supervisors, cause a certified copy thereof to
be transmitted by mail to the Town Clerks of Oneida County and the Wisconsin
Department of Natural Resources.

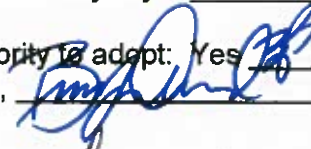
Approved by the Planning and Development Committee this 12th day of April, 2017.


Consent Agenda Item: _____ YES _____ NO

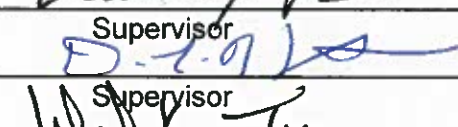
Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority = _____

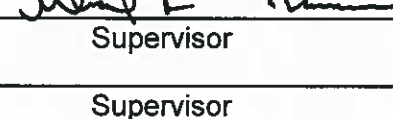
The County Board has the legal authority to adopt: Yes _____ No _____ as
reviewed by the Corporation Counsel, _____, Date:

Offered and passage moved by:



Supervisor


Supervisor


Supervisor


Supervisor

Supervisor

17 Ayes

1 Nays

3 Absent

0 Abstain

X Enacted

by the County Board of Supervisors this 18 day of April, 2017.

147 _____Defeated

148

149

150

151

152


Tracy Hartman, Clerk


David Hintz, County Board Chair

Resolution - #38-2017

Supervisors	AYE	NAY	ABS	ABSTAIN
Cushing	X			
Winkler	X			
Pederson	X			
Paszak	X			
Timmons	X			
Pence	X			
Kelly	X			
Jensen	X			
VanRaalte	X			
Zunker	X			
Young	X			
Mott			X	
Sorensen		X		
Fried	X			
Krolczyk	X			
Holewinski			X	
Ives	X			
Freudenberg			X	
Oettinger	X			
Metropulos	X			
Hintz	X			
TOTALS	17	1		
TAGS				
Amanda Morgan	X			
Brighid Billing	X			
	2			

April 18, 2017

Resolution # 38-2017 /General Code/O A #3-2017 offered by the Planning and Development Committee amending Section 9.26, Business B-1 and B-2 (Districts 6 and 7) of the Oneida County Zoning and Shoreland Protection Ordinance.

Resolution Amendment # 38-2017

Motion Sorenson / VanRaalte

No helipad or helipad may be cited within 25 miles
or 1.320 of area currently zoned Single Family
Residential - Sub N

BOARD MBR	AYE	NAY	ABS	ABSTAIN
Mott			X	
Ives		X		
Freudenberg			X	
Zunker	X			
Winkler		X		
Metropulos		X		
Pence		X		
Cushing		X		
Pederson		X		
Jensen		X		
Kelly		X		
Paszak		X		
Oettinger		X		
Sorensen	X			
Timmons	X			
Krolczyk		X		
Holewinski			X	
Fried		X		
VanRaalte		X		
Young	X			
Hintz		X		
TOTALS	4	14		
Amanda Morgan		X		
Alec Bess				
Bridget Billing (alt)		X		
Totals		2		

Amendment Fails

Amendment to Resolution # 38-2017

Sorensen - Timmons

Any Helipad must be reviewed and Approved
by the FAA before any Construction
May Start.

BOARD MBR	AYE	NAY	ABS	ABSTAIN
Sorensen	X			
Pence	X			
Zunker	X			
Freudenberg			X	
Timmons		X		
Cushing		X		
Paszak	X			
VanRaalte		X		
Holewinski			X	
Pederson		X		
Winkler		X		
Mott			X	
Jensen		X		
Krolczyk		X		
Metropulos		X		
Kelly	X			
Young	X			
Fried		X		
Ives		X		
Oettinger		X		
Hintz		X		
TOTALS	10	12		
Alec Bess (alt)				
Budget Billing	X			
Alec Bess (alt.)				
Amanda Morgan (alt.)	X			
Totals	2			

Amendment Fails